



**MINUTES OF THE
JOINT MEETING OF THE RULES AND OPEN GOVERNMENT COMMITTEE
AND COMMITTEE OF THE WHOLE**

SAN JOSE, CALIFORNIA

WEDNESDAY, SEPTEMBER 18, 2024

The Committee meeting was held in the Council Chambers. The meeting convened at 2:00 p.m.

Present Councilmembers: - Foley, Jimenez, Davis, and Kamei.

Absent Councilmembers: - Cohen

Staff: Assistant City Manager, Lee Wilcox; Assistant City Attorney, Kevin Fisher; Assistant City Clerk, Joy Rodriguez; City Manager's Office, Rachelle Blattman; and Deputy City Clerk, Daniel Aguilar.

A. City Council (City Clerk)

1. Review September 24, 2024 Final Agenda

- a) Add New Items to Final Agenda
- b) Assign "Time Certain" to Agenda Items (if needed)
- c) Review of Notice of Waiver Requirements for Agenda Items or Documents (if needed)

Public Comment: None provided.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sergio Jimenez, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on September 24, 2024, including the add sheet. (4-0-1; Absent: Cohen)

2. Review October 1, 2024 Draft Agenda

- a) Add New Items to Draft Agenda
- b) Assign "Time Certain" to Agenda Items (if needed)
- c) Review of Notice of Waiver Requirements for Agenda Items or Documents (if needed)

Public Comment: None provided.

Action: Upon motion by Councilmember Dev Davis, seconded by Vice Mayor Rosemary Kamei, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on October 1, 2024. (4-0-1; Absent: Cohen)

B. Consent Calendar

Public Comments: None provided.

Action: Upon motion by Vice Mayor Rosemary Kamei, seconded by Councilmember Dev Davis, and carried unanimously, the Consent Calendar was approved as a whole. The below actions were taken as indicated. (4-0-1; Absent: Cohen)

1. The Public Record for September 12 - September 19, 2024. (City Clerk)

The Public Record for September 12 – September 19, 2024, was noted and filed.

2. Release Date for Study Session. (City Manager)

The Study Session held date of October 4, 2024, was released.

3. Retroactive Approval of Dumpster Day Sponsored by Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Foley)

The Special Events sponsored by Council District 9 were approved, to be placed on the September 24, 2024, Council Agenda for action.

4. Retroactive Approval of Neighborhood Dumpster Day at Bellevue Park Sponsored by Council District 7 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Doan)

The Special Events sponsored by Council District 7 were approved, to be placed on the September 24, 2024, Council Agenda for action.

5. Retroactive Approval of the Vietnamese Flag Raising Sponsored by Council District 7 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Doan)

The Special Events sponsored by Council District 7 were approved, to be placed on the September 24, 2024, Council Agenda for action.

C. Rules Committee Reviews, Recommendations and Approvals

1. Request for Clarification from Administration on Proper Process for Managing Access to the Viet Heritage Garden. (Ortiz and Torres)

Councilmember Peter Ortiz introduced the item, bringing forward the recommendation as outlined in the September 12, 2024 joint memorandum co-authored by Councilmember Ortiz and Councilmember Torres.

Councilmember Bien Doan brought forward the recommendation as outlined in his September 17, 2024 memorandum.

Public Comment: Sam Ho, Truong Nguyen, Long Tran, Maylan Le, Trang Nguyen, Van Tuan, Kathy Nguyen, Mary Dao Nguyen, James Campbell (off topic), V. Nguyen, John Cao, Van Le, Maitram Nguyen, and Ann Kong offered public comment.

Action: Upon motion by Vice Mayor Rosemary Kamei, seconded by Sergio Jimenez, and carried unanimously, the Committee approved the request for clarification from administration on proper process for managing access to the Viet Heritage Garden, with an informational memorandum to be distributed to the Councilmembers. (4-0-1; Absent: Cohen)

D. Open Forum

None provided.

E. Adjournment

Chair Pam Foley adjourned the Committee meeting at 2:57 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

Daniel Aguilar
Deputy City Clerk, City of San José

Approved at Council on:

Number of actions: 4

Attest By:

Toni J. Taber, MMC
City Clerk, City of San José